

FOR IMMEDIATE RELEASE May 20, 2008

REMARKS BY MAYOR JERRY SANDERS

ATTORNEY GENERAL BROWN FINDS NO FACTUAL OR LEGAL BASIS TO ALLEGATIONS MADE AGAINST MAYOR BY CITY ATTORNEY REGARDING SUNROAD ISSUES

I want to make some brief remarks about the report that Attorney General Jerry Brown issued this morning regarding accusations made against me regarding the Sunroad matter last year.

In each and every case, the Attorney General found that there was no factual or legal basis for the accusations that had been made against me.

You will remember that around this time last year – over the course of several weeks -- City Attorney Mike Aguirre made a number of unsubstantiated allegations about my behavior, my integrity and my motivation in trying to resolve the Sunroad matter.

I have served our community with dignity and integrity for over 35 years. I could not allow those unfounded and inaccurate accusations to stand unrefuted.

So, on June 20th of last year, I asked the Attorney General to undertake an independent investigation into my conduct and the charges that had been unjustly leveled against me. Today, the Attorney General makes his findings known. I was given a copy of the report for the first time this morning and have only briefly read through portions of it.

In painstaking detail, each one of Mr. Aguirre's allegations -- including his specific charge of "corruption" against me -- is detailed by the Attorney General, deconstructed and then the Attorney General makes a judgment as to the accuracy of each of the charges.

In each and every case – let me repeat that again – in each and every case – the Attorney General – a man I should note who is a Democrat, like Mr. Aguirre – finds that there was absolutely NO credible basis or legal rationale for Mr. Aguirre's irresponsible and unsubstantiated charges against me. Specifically, the Attorney General found that there was <u>no</u> improper influence with regard to campaign contributions or relationships. It also found that city staff acted properly and in keeping with the law.

I am grateful to be vindicated.

I have acknowledged that mistakes were made in the handling of this issue but I have always maintained that those mistakes were mistakes of the mind and not the heart. More importantly, the issue has been settled. Once the circumstances were known, I quickly moved to have the building reduced in size to 160 feet. It now stands at its lawful height.

I have maintained – and will continue to maintain – that this issue resulted largely from the poor counsel that we consistently received from the City Attorney's office. As a result of his irresponsible and unsubstantiated allegations – and increasingly independent and aggressive posture – I began questioning whether the advice he was providing to me and my staff was political or legal in nature.

I think it's fair to say that false accusations poison the policy discourse and make it much more difficult to find solutions.

The message inherent in the Attorney General's report is that bullies eventually get their due. This whole episode is representative of what happens when someone makes reckless charges motivated by their own political agenda.

This report clears the air and corrects the record.

OFFICE OF THE ATTORNEY GENERAL Edmund G. Brown Jr.

News Release May 25, 2008 FOR IMMEDIATE RELEASE Contact: (916) 324-5500

California Department of Justice: No Mayoral Corruption During Sunroad Project

SAN DIEGO--California Attorney General Edmund G. Brown Jr. today released the results of a California Department of Justice investigation into allegations of "a corrupt course of action" that San Diego City Attorney Mike Aguirre leveled against San Diego Mayor Jerry Sanders. The department concludes that the record does not support the allegations made by the city attorney against the mayor.

On June 20, 2007, Mayor Jerry Sanders requested that the attorney general conduct an inquiry and evaluation of allegations of corruption made against the mayor by the city attorney in a letter to the editor published in the San Diego Union-Tribune.

In August 2006, the Federal Aviation Administration had determined that the Sunroad Centrum 12 building was an air navigation hazard due to its height and proximity to Montgomery Field Airport, which is owned and operated by the City of San Diego. Sunroad's principal and the owner of Centrum 12, Aaron Feldman, is a campaign contributor of the mayor's.

City Attorney Aguirre's letter to the editor charged that Mayor Sanders "engaged in an embarrassing and corrupt course of action," by allowing Sunroad Centrum 12's construction by Feldman "in defiance of FAA safety standards and California state law." Aguirre also charged the mayor with employing mayoral staff and a San Diego Regional Airport Authority executive to "lobby the FAA for changes to the routing of airplanes at Montgomery Field so that the illegal building could remain."

California Department of Justice Investigators examined the mayor's handling of the Sunroad Centrum 12 building project after the hazard determination and the motivation for the actions by the mayor, his closest advisors and other city executives, directors and managers. The department also inquired into contacts that the mayor and his advisors and managers had with Sunroad's representatives and with the FAA, CalTrans, the City Attorney's Office, the Airport Authority, the press and the public.

The report, released today to the Mayor, City Attorney, City Ethics Commission, District Attorney, U.S. Attorney, San Diego City Council and San Diego Airport Authority, is attached.

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Christensen, Kevin

From: James Humes [James.Humes@doj.ca.gov]

Sent: Tuesday, July 08, 2008 2:16 PM

To: Christensen, Kevin

Cc: Aguirre, Michael

Subject: San Diego City Attorney's Draft Letter and Sunroad Investigative Report

Kevin: Thank you for forwarding these materials to me. I'll forward your message on to the Attorney General, although you should know that I will recommend that we let our report speak for itself and that we decline to be further embroiled in this matter. In my view, the draft letter and report are argumentative and provide little constructive information that would alter our office's conclusion that Mayor Sanders did not engage in corruption. Still, I appreciate your courtesy in forwarding the drafts to us, and I will let you know if the Attorney General would like to discuss this further with the City Attorney.

Jim Humes

>>> "Christensen, Kevin" <KChristensen@sandiego.gov> 7/8/2008 11:20 AM >>> Mr. Humes.

Per the request of the San Diego City Attorney, I have attached to this e-mail a draft letter and a separate draft report prepared by the City Attorney's Office in response to the report issued by Attorney General's Office titled, "Report of the California Attorney General: San Diego City Attorney Michael Aguirre's Allegations of 'Corruption' Against San Diego Mayor Jerry Sanders Regarding the Sunroad Building Project."

I am sending these documents to you as the City Attorney is interested in interviewing Attorney General Brown to include facts about the how the investigation by the Attorney General's Office was conducted and circumstances surrounding the writing and issuing of the report.

Please contact City Attorney Michael Aguirre at your earliest convenience to set up a time for the interview at (619) 236-6666.

Best Regards,

Kevin Christensen Investigator San Diego City Attorney's Office 1200 Third Avenue Suite 1620 San Diego CA 92101 Phone: 619.533.6573 Fax: 619.236.7215

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